

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Ronald A. KATZ

Serial No.: not yet assigned

Filed: herewith

For: COMMERCIAL PRODUCT
ROUTING SYSTEM WITH VIDEO
VENDING CAPABILITY

Group Art Unit [Parent Case]: 2743

Examiner [Parent Case]:
Woo, Stella



INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In compliance with the Applicant's duty under 37 CFR § 1.56, the following documents are brought to the attention of the Examiner. The documents are identified below and on the attached Forms PTO-1449. In order to avoid submission of unnecessary copies, the undersigned submits that all the copies were provided previously with several information disclosure statements filed with respect to Applicant's parent application serial no. 08/189,405. Of course, if the Examiner would like separate copies submitted for this application, the Examiner is requested to notify the undersigned.

CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' (Label No. EM542080944 US) in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

2/17/2000

Connie Kwon

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Also, the filing of this Information Disclosure Statement should not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR § 1.56, exists.

Applicant merely wishes to bring all the information that he is aware of from various sources to the Examiner's attention. For example, certain of the above-listed documents may be of interest because they were cited by the Examiner in other related cases. Other documents may be of interest because they are prior art to other recently issued patents relating to commercial systems (that are not prior art to Applicant's present application that predates them) for example, U.S. Patent No. 5,794,207 to Walker et al, U.S. Patent No. 5,758,328 to Giovannoli, U.S. Patent No. 5,845,265 to Woolston, and U.S. Patent No. 5,710,887 to Chelliah et al. Although these four patents are clearly not prior art, they are listed in this information disclosure statement to indicate the source of some of the documents cited in this information disclosure statement. It should be noted that although a majority of the documents cited here may pertain to commerce type systems, very few utilize videoconferencing techniques. Applicant has also cited here references that describe operations of "on-line services" such as CompuServe and Prodigy, which were examples given in Applicant's application and references that describe EDI (Electronic Data Interchange) operations.

Also, of interest, perhaps when considering documents cited here and otherwise asserted by the Examiner in relation to the scope of Applicant's claims is a definition¹ (see attached Exhibit 1) of an "**online service**." It describes an "**online service**" as follows:

"A business that provides its subscribers with a wide variety of data transmitted over telecommunications lines. Online services provide an infrastructure in which subscribers can communicate with one another, either by exchanging e-mail messages or by participating in on-line conferences (forums). In addition, the service can connect users with an almost unlimited number of third-party information providers. Subscribers can get up-to-date stock quotes, news stories hot off the wire, articles from many magazines and journals, in fact, almost any information that has been put in electronic form. Of course, accessing all this data carries a price.

The difference between an online service and a bulletin board service is one of scale and profits. Online services provide a variety of information and services, whereas BBS's normally concentrate on a single theme. In addition, BBS's are often operated on a non-profit basis whereas online services are always for profit. Three of the largest online services are America Online, Compuserve and MSN.

One online service that defies classification is the Internet. In terms of users, it is the largest service, but it is not centrally controlled by any one organization, nor is it operated for profit."

Although the various documents cited here have been reviewed by Applicant's attorneys and/or agents, and in their view, Applicant's claims are distinct, the Examiner is encouraged to make an independent determination.

The items identified in this Information Disclosure Statement may or may not be "material" pursuant to 37 CFR § 1.56 and the submission thereof by Applicant shall not be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" (under 35 USC § 102) with respect to this invention unless specifically designated by Applicant as such.

The filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR § 1.56, exists.

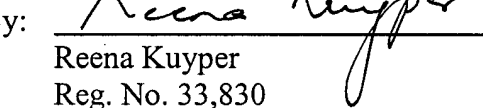
¹ from PC Webopaedia and Links at <http://webopedia.internet.com>

The attached Information Disclosure Statement is being filed in accordance with 37 CFR §§ 1.97 and 1.98. This Information Disclosure Statement is believed to be timely submitted under 37 CFR § 1.97(b)(3), before the mailing of a first Office Action on the merits. Thus, no petition or fee is required. In the event fees are required by the filing of these papers for reasons unknown to the undersigned, it is requested that they be charged to Lyon & Lyon's Deposit Account No. **12-2475**.

Respectfully submitted,

LYON & LYON LLP

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